

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
CRISTIAN SANCHEZ, :
:
Plaintiff, :
: 22-CV-2418 (VSB)
-against- :
: **ORDER**
THE HEAT FACTORY, INC., :
:
Defendant. :
:
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VERNON S. BRODERICK, United States District Judge:

On October 6, 2022, I ordered Defendant to file a letter indicating whether its motion to dismiss should be deemed moot without prejudice to refile a new motion to dismiss, or if I should evaluate Defendant's current motion to dismiss in light of the facts alleged in the amended complaint. (Doc. 18.) Defendant filed a letter on October 13, 2022 stating that "defendant believes that [the amended complaint] obviated some – but not all – of defendant's original motion to dismiss," and therefore Defendant plans to file a new motion to dismiss. (Doc. 19.) Accordingly, it is hereby:

ORDERED that Defendant shall file a new motion to dismiss in accordance with Federal Rule of Civil Procedure 15(a)(3) by October 28, 2022.

SO ORDERED.

Dated: October 18, 2022
New York, New York



Vernon S. Broderick
United States District Judge